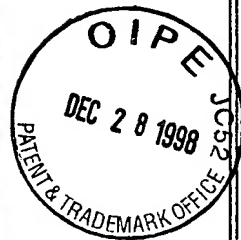


[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s), to Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.



DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

Respectfully submitted,

Joseph W. Schmidt
Joseph W. Schmidt
Registration No. 36,920
Attorney for Applicants

In re application of: Charles J. Winslow et al.

Serial No.: 08/889,661

Group Art Unit: 3309

Filed: July 8, 1997

Examiner: Julian W. Woo

For: OPEN POSTERIOR LUMBAR FUSION CAGE INSERTION SET

Dated: December 21, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. §§1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- [] No additional fee is required.

The fee has been calculated as shown below:

	(Co. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY			OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	26*	MINUS	24**	= 2	X 9	\$		X 18	\$36.00
INDEP.	9*	MINUS	9***	= 0	X 39	\$		X 78	\$.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					X 130	\$		X 260	\$.00
					TOTAL			OR TOTAL	\$.00
								ADDIT. FEE	\$36.00

* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

[] Please charge Deposit Account No. 04-1121 in the amount of \$ _____. Two (2) copies of this sheet are enclosed.[X] A check in the amount of \$36.00 is enclosed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

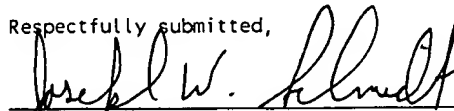
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 21, 1998.Dated: December 21, 1998

Joseph W. Schmidt

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §§1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

DILWORTH & BARRESE
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(516) 228-8484

Respectfully submitted,



Joseph W. Schmidt
Registration No. 36,920
Attorney for Applicants

